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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/535,893	03/27/2000	Fumihisa Shimono	P/29-1252	3965

7590 09/30/2004

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EXAMINER

MASKULINSKI, MICHAEL C

ART UNIT PAPER NUMBER

2113

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Advisory Action

Application No.

09/535,893

Applicant(s)

SHIMONO, FUMIHISA

Examiner

Michael C Maskulinski

Art Unit

2113

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 09 September 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: the arguments are not persuasive.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: 3-5, 8-10 and 13-15.Claim(s) rejected: 1, 2, 6, 7, 11 and 12.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: see attached paper no. 2

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Grounds for Rejection

Claim Rejections - 35 USC § 102

1. Claims 1, 2, 6, 7, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hulyalkar et al., U.S. Patent 6,339,585 B1.

Allowable Subject Matter

2. Claims 3-5, 8-10, and 13-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

3. The Examiner has thoroughly read the Applicant's arguments and finds them to be unpersuasive. Specifically the Applicant argues that the limitation "a connection controlling unit for connecting said disconnected client terminal to said searched client terminal by said search controlling unit independent of the plurality of access points" is not taught. In column 8, lines 53-60: After synchronization, the WT must "associate" with the network for which it needs an assigned slot. The mechanism to obtain a slot is to send a request for a slot during the E_burst phase. **Since the BS/CC is not yet aware of the existence of the WT** (independent of the plurality of access points), the BS/CC assigns periodically a certain number of E_burst slots to no particular WT, and here the WT randomly selects one of these unassigned slots to ask for the request of a slot in a succeeding CDF. In other words, BS/CC does not control the connecting. How can the BS/CC control the connecting if it is unaware of the WT? The Examiner has shown how the applied reference teaches this claimed limitation of the independent

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claims and suggests incorporating the allowable subject matter into the independent claims to place this application in better condition for allowance.



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